

FILED

3:44 pm Jul 17 2023
Clerk U.S. District Court
Northern District of Ohio
Akron

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

IN RE SUBPOENA DUCES TECUM directed
to non-party the Institute for Energy
Economics and Financial Analysis in
connection with

*McEvoy, et al. v. Diversified Energy Company
PLC, et al.*, N.D. W. Va., Case No. 5:22-cv-
00171

1 : 23MC 31
Miscellaneous Action No. _____

JUDGE BARKER

**DIVERSIFIED'S MOTION TO COMPEL COMPLIANCE WITH SUBPOENA TO
THE INSTITUTE FOR ENERGY ECONOMICS AND FINANCIAL ANALYSIS**

Pursuant to Federal Rules of Civil Procedure 26 and 45, Diversified Energy Company PLC, Diversified Production LLC, and Diversified Gas & Oil Corporation (collectively, "Diversified") respectfully request that the Court, as the district of compliance, compel the Institute for Energy Economics and Financial Analysis to produce documents responsive to Requests 1–12 of the subpoena attached as Exhibit 1. The Court should grant this motion for the reasons given in the accompanying memorandum.

Respectfully submitted:

Dated: July 13th, 2023



Daniel Donovan, P.C.
Ragan Naresh, P.C.
KIRKLAND & ELLIS LLP
1301 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Phone: (202) 389-5000
Fax: (202) 389-5200
Email: ddonovan@kirkland.com
ragan.naresh@kirkland.com

Kenneth Young (*pro hac vice* forthcoming)
KIRKLAND & ELLIS LLP
609 Main Street
Houston, TX 77002
Phone: (713) 836-3600
Fax: (713) 836-3601
Email: kenneth.young@kirkland.com

Counsel for Diversified Energy Company PLC, Diversified Production LLC, and Diversified Gas & Oil Corporation

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 13th, 2023 a copy of the foregoing was served by Federal Express ~~2023-07-13~~ upon the following:

William S. Flynn
Brian A. Glasser
John W. Barrett
Brian R. Swiger
Athanasios Basdekis
BAILEY & GLASSER, LLP
209 Capitol Street
Charleston, West Virginia 25301
wflynn@baileyglasser.com
bglasser@baileyglasser.com
jbarrett@baileyglasser.com
bswiger@baileyglasser.com
tbasdekis@baileyglasser.com

Joseph M. Lovett
Benjamin A. Luckett
J. Michael Becher
APPALACHIAN MOUNTAIN ADVOCATES
P.O. Box 507
Lewisburg, WV 24901
jlovett@appalmad.org
bluckett@appalmad.org
mbecher@appalmad.org

Panida A. Anderson
BAILEY & GLASSER, LLP
1055 Thomas Jefferson St. NW, Suite 540
Washington, DC 20007
panderson@baileyglasser.com

Counsel for Mark McEvoy, James Tawney, Susan Tawney, Samuel Stark, Susan Dennison, Mark Goff, Carol DelRosso, George DelRosso, Benjamin Patterson, Chad Silvester, Clinton and Candace Drainer Irrevocable Trust, Eben Fritts, Eben Fritts III, Gary Wentz, Heidi Deem, Jeffery Saltis, Kellie Saltis, Lane Evans, Minerva Evans, Maynard Tanner, Jennifer Tanner, Joan Medley, Jacob Collette, Regina Collette, Scott Corcoran, Kathy Johnson, and Christine Cochran

Jennifer J. Hicks
BABST, CALLAND, CLEMENTS & ZOMNIR, P.C.
300 Summers Street, Suite 1000
Charleston, WV 25301
jhicks@babstcalland.com

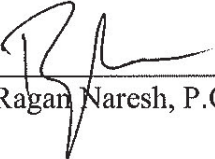
Anna G. Rotman
Nick Brown
KIRKLAND & ELLIS LLP
609 Main Street
Houston, TX 77002
anna.rotman@kirkland.com
nick.brown@kirkland.com

Mark K. Dausch
BABST, CALLAND, CLEMENTS & ZOMNIR, P.C.
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
mdausch@babstcalland.com

Counsel for EQT Production Company, EQT Production HTW, LLC, EQT Energy LLC, EQT Investment Holdings, LLC, EQT Gathering, LLC, EQT Midstream Partners LP, EQT Midstream Partners LP, EQT GP Holdings, LP, and EQT Corporation

Edward A. Icove
ICOVE LEGAL GROUP, LTD.
50 Public Square
Terminal Tower, Suite 3220
Cleveland, Ohio 44113
ed@icovelegal.com

Counsel for the Institute of Energy Economics and Financial Analysis



Ragan Naresh, P.C.